

ZB# 69-19

Emilio Panella (Odyssey)

(no SBL given)

to be filed

69-19 Emilio
Panella -
"Odyssey"

9-19-69
4:35 P.M.

ORANGE COUNTY PLANNING BOARD
COUNTY BUILDING, GOSHEN, NEW YORK

PETER GARRISON
PLANNING DIRECTOR

EDWIN J. GARLING
ASSISTANT PLANNING DIRECTOR

ROYAL BRUCE HARDE
ASSISTANT PLANNER

(914) 294-5151

August 22, 1969

Mrs. Louise A. Budney, Chairman
Town of New Windsor Zoning Board of Appeals
Veronica Avenue
New Windsor, New York

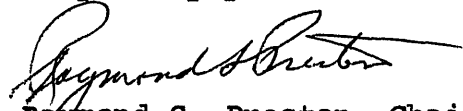
Re: Use variance to allow enlargement of
non-conforming use.
219 Blooming Grove Tpke.

Dear Mrs. Budney:

Acting under its review powers granted by Section 239-M, Article 12-B of the General Municipal Law of the State of New York, the Orange County Planning Board, meeting on August 21, 1969, voted, upon motion by Mr. Patt, seconded by Mr. Dietz, and unanimously carried, to approve the immediate granting of the above cited application pending before your Board.

This we do upon the recommendation that the small LB (local business) District against which this property abuts, be enlarged so as to include this property, thus making the dress shop a conforming use.

Very truly yours,



Raymond S. Preston, Chairman
Orange County Planning Board
Review Committee

RSP:f

c.c. Paba Realty Corp., New Windsor
Howard Collett, Chairman, Planning Bd.

Adopted 12/20/65

APPLICATION FOR VARIANCE

APPLICATION NO. 69-19

DATE: July 25, 1969

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

I (we) PADA REALTY CORP of 219 Bloomingville Tpk.
(Street & number)
NEW WINDSOR

N.Y. HEREBY MAKE
(State)

APPLICATION FOR A VARIANCE:

- A. LOCATION OF THE PROPERTY 219 Bloomingville Tpk. R.D.
(Street & Number) (Use district on Zoning Map)
- B. PROVISION OF THE ZONING ORDINANCE APPLICABLE: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance: 48-33 A)

Art. III, Sec. 48-7

- C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because:
Applicant all ready operates a dress shop.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because:
Applicant has invested substantial sums for a use authorized by the Town and cannot use the land for any other purpose.
3. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Ordinance because: Applicant opened the business with Town approval and would not have invested in same originally if approval had not been given.

4. Relief, if approved will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because:

Use already existing is quiet, attractive and
provides an essential area service.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because:

Applicant is not requesting an
use different from that which already is
in existence.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

See sketch attached:

- E. Application to be accompanied by a check, payable to the Town of New Windsor in the amount of \$10.00. Application to be returned to: Secretary of the Zoning Board of Appeals.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered mail to all abutting land owners as required by Section 9.4.1 of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified.

Dated: _____

Emilio Ponder

Signature of Applicant

STATE OF NEW YORK) SS
COUNTY OF ORANGE)

Sworn to this 4 day of August 1969

Address _____

ALFRED F. CAVALARI
Notary Public in the State of New York
Residing in and for Orange County
Commission expires March 24, 1971

Alfred Cavalari
(Notary Public)

Telephone No. _____

DO NOT WRITE IN THIS SPACE

Application No. 69-19
Date of Hearing 9/15/69 8/12/69
Date of Decision 9/15/69

Date Received 7/25/69
Notice Published 8/8/69

DECISION: Variance denied

80.62

PUBLIC NOTICE OF HEARING BEFORE
THE ZONING BOARD OF APPEALS

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
Town of New Windsor, New York will hold a public
hearing pursuant to Section 48-33A of the Zoning Ordinance
on the following proposition:

Appeal No. 29

Request of PABA REALTY CORP. for a
Variance of the regulations of the Zoning Ordinance, to permit
the expansion of an existing dress shop, being a Variance
of Article III, Section 48-7, for property owned by him
situated as follows:

219 Blooming Grove Tpk., New Windsor, N. Y.

Said Hearing will take place on the 18th day of August, 1969,
at the New Windsor School, beginning at 8 p.m. o'clock.

Louise A. Budney
LOUISE A. BUDNEY,

Chairman

The undersigned hereby oppose the rezoning application of
 Paba Realty Corp. as described in the annexed Notice, and the under-
 signed further request the Zoning board of Appeals of the Town of
 New Windsor, New York, to deny said application.

<u>NAME</u>	<u>ADDRESS</u>
John J. Ryan.	4 Garden Dr. New Windsor N.Y.
Ohelena M. Ryan	4 Garden Dr Newburg N.Y.
Charles M. Murphy	2 Garden Dr, New Windsor
Elsie S. Murphy	2 Garden Dr, New Windsor
Joseph Costanzo	6 Garden Drive New Windsor
Gertrude Costanzo 6	11
R. V. Kosta	16
Maryjane Kosta	"
Reed Fascia	12 Garden Drive
Mary Fascia	12 Garden Drive
Ray Colvin	9 Garden Drive
Dorenda F. Colvin	7 Garden Drive
Charles J. Marks	26 Garden Drive
Janet L. Mocho	26
Ellenor McQuade	8 Garden Dr.
Emmanuel McQuade	"
Edward Muzzie	8 Louise Dr.
Anna Muzzie	"

The undersigned hereby oppose the rezoning application of
Paba Realty Corp. as described in the annexed Notice, and the under-
signed further request the Zoning board of Appeals of the Town of
New Windsor, New York, to deny said application.

<u>NAME</u>	<u>ADDRESS</u>
Peter Mandia	7 Louise Drive
Philyp Mandia	7 Louise Drive
Geryldine Mandia	7 Louise Drive
Charlotte Mandia	7 Louise Drive
Doris Freeman	4 Louise Drive
Louise Di Viesti	4 Louise Drive
Michael J. Di Viesti	3. Louise Drive, New Windsor
Marilyn Capicotto	6 Louise Dr. New Windsor, N.Y.
Anthony Capicotto	6 Louise Dr. New Windsor, N.Y.
Ludovico Piscitelli	Louise Dr. New Windsor, N.Y.
Grace Piscitelli	Louise Dr. New Windsor, N.Y.
Josephine B. Roberts	314 JESSAICK
Mary Peters	108 Blooming Grove Tpk
Virginia Peters	106 Blooming Grove Tpk,
Gregory Peters	106 Blooming Grove Tpk,
Vincent D'Agata	228 Blooming Grove Tpk



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

August 5, 1969

PABA Realty Corporation
Route 94
New Windsor, New York 12550

Dear Sir:

Please be advised that the cost for the attached list of property owners which you requested, is \$15.00.

Please remit same to me, making the check payable in my name.

Respectfully,

Ellsworth E. Weyant, pt
ELLSWORTH E. WEYANT, Chairman
Board of Assessors
Town of New Windsor

EEW/pt
Enc.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

August 5, 1969

PABA Realty Corporation
Route 94
New Windsor, New York 12550

Dear Sir:

According to my records, the following list of property owners are within the 500 feet of the area you inquired about:

Mineta, Joseph & Anna
304 Quassaick Avenue
New Windsor, New York

Berterow, Richard L. & Lillian
308 Quassaick Avenue
New Windsor, New York

Dillon, Evelyn
314 Quassaick Avenue
New Windsor, New York
(2 parcels)

V S D Clothing Co., Inc.
102 South William St.
Newburgh, New York
(2 parcels)

Maury, James R. & Mary Louise
Argenio, Albert G & Nancy F.
Forest Hill Road,
New Windsor, New York

D Agati, Vincent S & Carmela N.
228 Blooming Grove Turnpike
New Windsor, New York

Kopunek, Elizabeth
17 Elm Street
North Tarrytown, New York

Bolognese, Frank Jr. & Nancy
17 Forest Hill Road
New Windsor, New York

McBrayer, John J. Jr. & Frances M.
Forest Hill Road
New Windsor, New York

Osterhout, Harold W. Jr. & Suzanne J.
Louise Drive
New Windsor, New York

LLEF Corporation
235 Blooming Grove Turnpike
New Windsor, New York

Conklin, Lillian Martha
2 Louise Drive
New Windsor, New York

Breilid, Torkjell & Olaus
1 Louise Drive
New Windsor, New York

Breilid Torkjell
1 Louise Drive
New Windsor, New York

Santoro, Albert & Helen
1 Louise Drive
New Windsor, New York



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OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

PABA Realty Corporation

Page 2

✓ Miller, Victor & Audrey
326 Ellen Place
Paramus, New Jersey

✓ Miller, Tillie
Louise Drive
New Windsor, New York

✓ Galati, Robert & Parish, Joseph G.
Caesars Lane, RD #4
New Windsor, New York

✓ Cornell Homes, Inc.
Box 1021
Newburgh, New York
(2 parcels)

✓ Dietz, Milton S. & Patricia J.
162 Caesars Lane
New Windsor, New York

✓ Capicotto, Anthony F. & Marilyn F.
Louise Drive
New Windsor, New York
(2 parcels)

✓ Sheley, Bertha
193 Quassaick Avenue
New Windsor, New York

✓ Mozgiel, Edward & Anna
Louise Drive
New Windsor, New York

✓ Mandia, Geraldine & Peter
Mandia, Charlotte & Philip
Louise Drive, MD #33
New Windsor, New York

✓ Piscitelli, Ludovico & Grace
Louise Drive, MD #33
New Windsor, New York

✓ Warden, Minnie F.
12 Jamison Place
Newburgh, New York

✓ Freeman, John & Doris
Louise Drive, MD #33
New Windsor, New York

✓ Diviesti, Michael & Louise
Louise Drive, MD #33
New Windsor, New York

✓ Marino, Angelo & Mary M.
6 Margaret Place
New Windsor, New York

✓ DeFelice, Fred J. & Lenore E.
30 Locust Hill Avenue
Yonkers, New York

✓ Rooney, Herbert & Martha
89 Blooming Grove Turnpike
New Windsor, New York

✓ Morris, W. Earl
91 Blooming Grove Turnpike
New Windsor, New York

✓ Murphy, Charles M. & Elsie S.
Garden Drive, MD #33
New Windsor, New York

✓ Ryan, John J. & Thelma M.
Garden Drive, MD #33
New Windsor, New York

✓ Castanaro, Joseph
6 Garden Drive
New Windsor, New York

✓ McQuade, Ellenor M. & Emanuel
8 Garden Drive
New Windsor, New York



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
Ellsworth E. Weyant
23 Clinton Wood Drive
New Windsor, New York 12550
(914) 561-5482

PABA Realty Corporation

Page 3

✓ Basch, Harry & Chirley
Oakridge Drive, MD #26
Newburgh, New York

Scheiner, Marvin G. & Florence
10 Garden Drive
New Windsor, New York

Rhodes, Sidney C. & Florence L.
142 Caesars Lane
New Windsor, New York

Respectfully submitted,

Ellsworth E. Weyant, pt

ELLSWORTH E. WEYANT, Chairman
Board of Assessors
Town of New Windsor

EEW/pt

Spectators:

ZBA - 8/18/69 - Public Hearing
Papa Realty Corp. P.P.M.

Name

Address

Mr. Emanuel M. Gaudin 8 Garden Dr.

Mrs. Ellen M. M. Gaudin " " "

Edward Mozgib 8 Kenise St.
Margaret B. Lewis 100 Blooming Grove Pk
Harriet S. Gaudin " "

Joseph Ruffano 84 Blooming Grove Pk

Vincent D'Agati

218 Blooming Grove Pk

L. Pissitelli

Sub. Pk

Grace Pissitelli

Lewis Dr

Bertha Shiley

193 Juassichave

Silver 451

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8:50

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Ronsini
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7 Franklin Ave., M.D.42
New Windsor, N.Y., 12550
August 11, 1969

Howard Collett, Chairman
New Windsor Planning Board
Drury Lane
Rock Tavern, N. Y.

Re: Application of Paba Realty Corp.

Dear Mr. Collett:

This is to inform you that there will be a public hearing on an application for a variance in the above matter. Said hearing will take place on the 18th day of August, 1969 at 8 p.m. at the New Windsor School.

Please find enclosed a copy of the application, together with the notice of publication.

Yours very truly,

Patricia Delio,
Secretary

/pd

Encs. 2

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date July 24, 1969

To EMILIO PAMELLA

RE/ ODYSSEY SHOP

ROUTE 94

PLEASE TAKE NOTICE that your application dated July 24, 1969

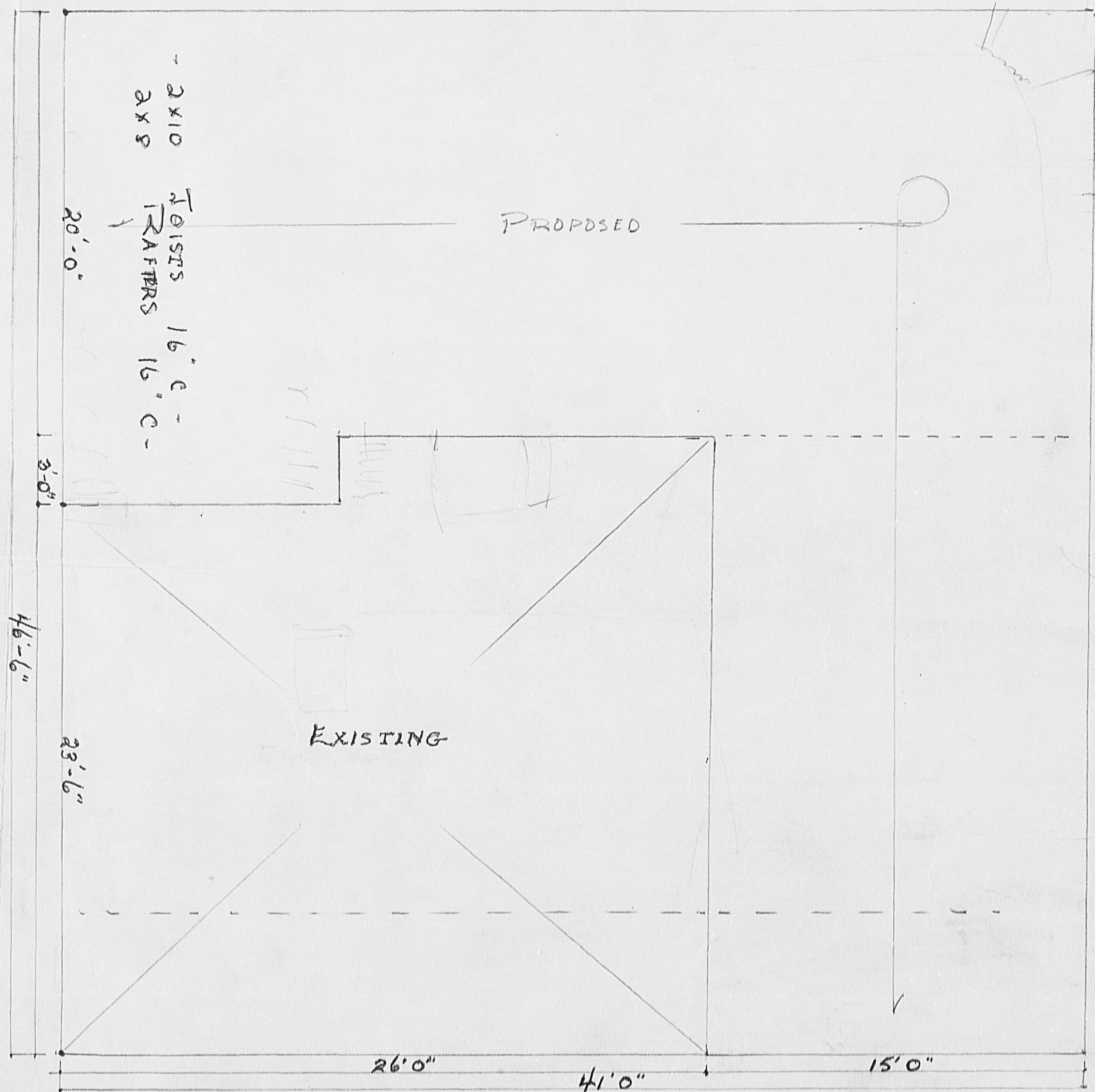
for permit to ADD TO PRESENT BUILDING

at the premises located at ROUTE 94

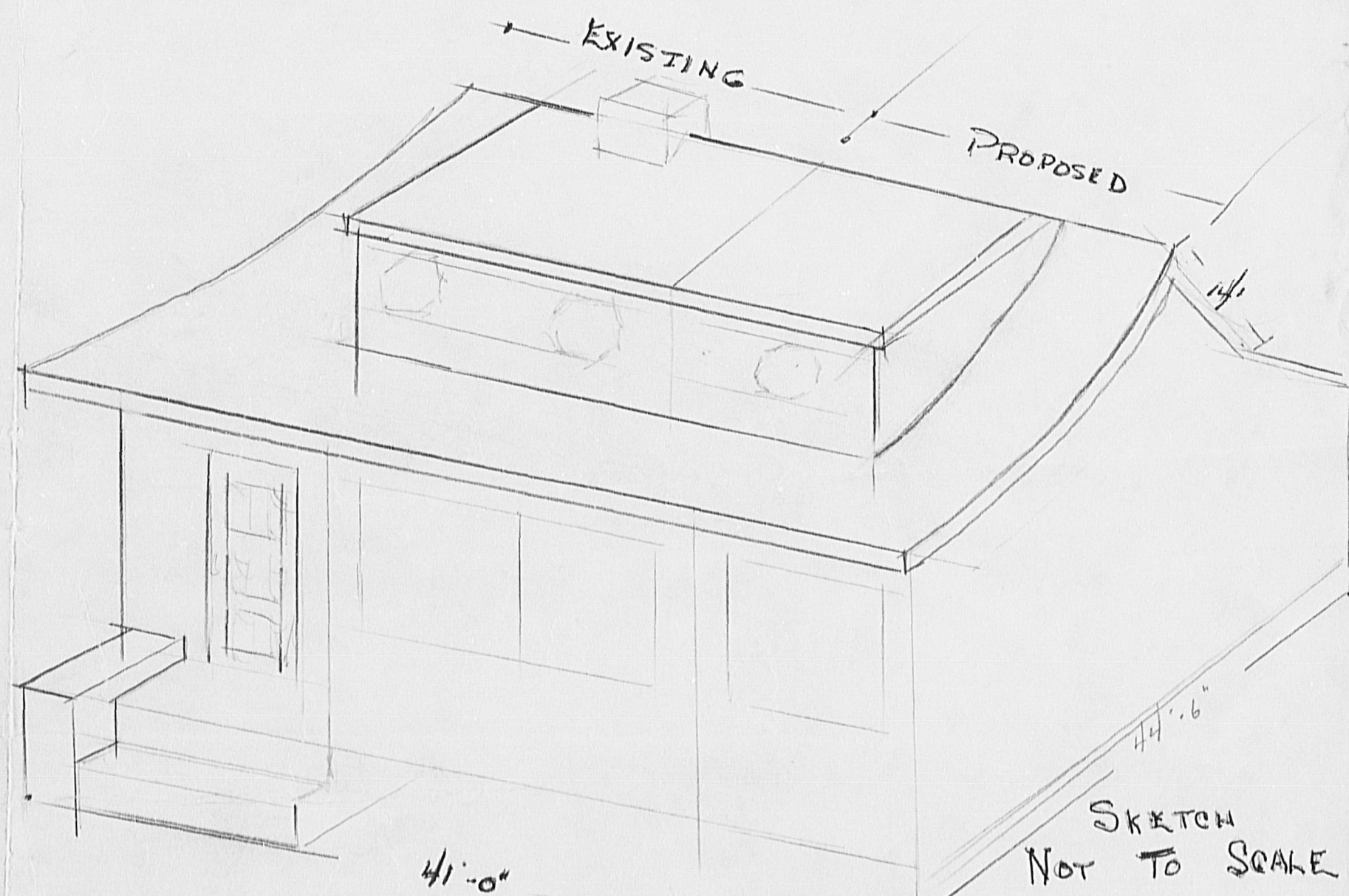
is returned herewith and disapproved on the following grounds:

R.B. ZONE

Laura J. ...
Building Inspector



SCALE $\frac{1}{4}" = 1'-0"$



SKETCH
NOT TO SCALE

ODYSSEY SHOP
ROUTE 94 - NEW WINDSOR